

Application No. 10/015,613

### **REMARKS**

The Office Action of June 23<sup>rd</sup>, 2005 has been carefully considered. Reconsideration of this application, as amended, is respectfully requested. Claims 1 - 27 are pending in this application. Of these, claims 1, 11, and 22 are independent. In this Amendment, claims 1, 11, and 22 have been amended, no claims have been cancelled, and no claims have been added.

### **35 USC § 102**

Claims 1, 3-5, 7, 11, 13, 16-18, 20, 22, and 24-25 have been rejected under 35 USC § 102(e) as being anticipated by Kidney et al, US Patent No. 4,984,279.

The disclosures of the cited art and the distinctions between them may be briefly summarized as follows:

Kidney et al. describes an image processing and map production system. In Kidney et al. a map is prepared from a satellite image defined by digital data by integrating the image data with a digitized representation of geographical features within the map area (please see abstract). The steps of the invention comprise processing data collected by remote-sensing to provide image data of a selected region, digitizing a representation of geographical features within the selected region, and integrating the image data with the feature data to provide combined data (please see col. 3, lines 43-61). In particular Figure 1 and col. 6 line 29 through col. 7 line 17 show a desired region (area 1 bounded by the double line 2) and four available image areas (areas 3, 4, 5, and 6 indicated by solid line 3a, dotted lines 4a and 5a, and chain-dotted line 6a) which overlap, at least partially, with area 1, the desired region. In order to build an image for the desired area 1, data must be

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used from the portions of the four available image areas 3-6. The manner of building the image for the desired area 1 from the data for overlapping areas 3-6 is described with respect to Figures 1 and 2. If the data for the available image areas overlap then, the choice of which pixel to use is left to a skilled operator. Further steps are then described to combine the image area which map and other data which results in a *single* integrated image containing image, map, and text data.

Applicant's claimed invention, as described in independent claims 1 and 11 comprises at least two display areas having the following characteristics: a first display area with a first display resolution and a first boundary, a second display area with a second display resolution different from the first display resolution and a second boundary, and the first and second display areas being so constructed and arranged such that when an image is displayed on at least a portion of each of the first and second display areas the resulting displayed image appears to be substantially continuous to a viewer situated to view the image and the displayed resolution of the portion of the image displayed on the first display is different than the displayed resolution of the portion of the image displayed on the second display.

Applicant's claimed invention as described in independent claim 22 comprises means for displaying a first image in a first display area having a first display resolution and a first boundary, means for displaying a second image in a second display area having a second display resolution, wherein the second display resolution is different from the first display resolution, and a second boundary, and the first and second display means being so constructed and arranged such that when a combined image comprising at least a portion of the first image displayed in the first display area and at least a portion of the second image displayed in the second display area is

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displayed the resulting combined image appears to be substantially continuous to a viewer situated to view the image and the displayed resolution of the first image is different than the displayed resolution of the second image.

To summarize, Kidney et al. describes a process for taking image data from a variety of sources and integrating the data to provide a single image while Applicant's claimed invention is a display having two display areas with different resolutions and different boundaries wherein when one or more images are displayed across the display areas they appear to be substantially continuous to a viewer situated to view the images and the displayed resolutions of the of the portions of the displayed images in the different display areas is different.

A claim or claims rejected under 35 USC § 102 is anticipated by the reference. For anticipation under 35 USC § 102, the claim must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present (MPEP 706.02).

Kidney et al. does not teach, disclose or suggest anything about displays themselves. It does not teach, disclose, or suggest at least two display areas with different resolutions and different boundaries. Nor does it disclose displaying images across such displays wherein one or more images which are displayed across the display areas appear to be substantially continuous to a viewer but portions of the image in the different displays are displayed at different resolutions. The Office Action points to Figure 1 and the text in col.6 line 29 through col. 7 line 17 as purporting to show first and second display areas so constructed and arranged such that an image displayed on at least a portion of the first and second display areas appears to

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be substantially continuous to a viewer. However, this is not what Figure 1 or the associated text discloses. "FIG. 1 shows a region for which a satellite picture is to be prepared from portions of four separate partially overlapping satellite images..." (Please see Brief Description of the Drawings). "As shown in FIG. 1, the area 1 bounded by the double line 2 represents a region for which it is desired to prepare a satellite map by the method of the invention. In order to provide such a map, largely cloud-free satellite pictures or image data must be available for the entirety of the region 1 in question. By reference to indexes of world coverage provided by the satellite companies, it can be established whether or not substantially cloud-free image data is available for the complete area of the region in question. A computer link to the satellite company's data bank facilitates direct Interrogation of the satellite company's data to establish whether or not this is the case.

Four notional available image areas 3, 4, 5 and 6, are indicated by the other solid, & dotted, 4a, 5a, and chain-dotted, 6a, areas on the representation of FIG. 1." (Please see col. 6, lines 29 through 45).

In summary, Figure 1 shows a region for which data is desired (area 1) and four areas (areas 3-6) overlapping with the desired region (area 1) for which data is available.

The remainder of the Kidney et al. discusses the methods of the invention, to wit, "an improved method of integrating satellite images with representational data, including text information . . . . an improved method of reproducing satellite image data to yield a smooth and uniform representation of a relatively extensive land area from a number of individual image data records gained on separate occasions and recorded as individual packages" (please see column 3 lines 35 through 42). An electronic search of the patent

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text for the word "display" or its variants turned up eight instances, including the claims. In each instance the word was used as part of a step of viewing or capturing data to be integrated into the final image. The first four instances are in col. 4, lines 47-63, "In another exemplification of the method of the invention, said digitising step comprises **displaying** [emphasis added] said image data to provide a pictorial representation of said selected region and deriving said feature data directly from said **displayed** [emphasis added] image by means of a digital overlay technique. Said digital overlay technique may comprise directing a cursor to traverse said **displayed** [emphasis added] pictorial representation of said selected region along one or more paths defining said geographical features of said selected region and storing information descriptive of said path or paths to provide said feature data, or alternatively said digital overlay technique may comprise moving a light pen over said **displayed** [emphasis added] pictorial representation of said selected region along one or more paths defining said geographical features of said selected region and storing information descriptive of said path or paths to provide said feature data." Another instance appears in col 6, lines 64-67, "Each imaged region 3, 4, 5 or 6, may then be **displayed** [emphasis added] on the computer screen, and colours are assigned to the bands, typically in false colour during the initial stages of processing." The next instance appears in column 8, lines 38-40, "It is also possible to "trace" the map data directly off a screen **display** [emphasis added]. i.e. to cause a cursor to traverse a path following a map feature to be digitized and to record the path followed by the cursor." Another instance in col. 8, line 66 to col. 9 line 7, A computer controlled process takes place in which the digitised data 42 for each region of the image, at pixel level in **display** [emphasis added] or printing terms, is compared with the digitised map feature data 47, and where this latter contains feature-defining-information, it takes precedence, together with an appropriate bounding or boundary region or area, over the original

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satellite image at 42, to ensure that in the finally printed satellite 5 map the mapped features 47 will stand out against the background of the satellite Image 42. Lastly, in claim 6 "said digitising step comprises **displaying** [emphasis added] said image data to provide a pictorial representation of said selected region and deriving said feature data directly from said pictorial representation by means of a digital overlay technique".

In summary, Kidney et al. does not teach or suggest at least two display areas having differing resolutions wherein when an image is displayed across the display areas it appears substantially continuous to a viewer with the portions of the image on each of the display areas being displayed in different resolutions either explicitly or impliedly. Therefore Applicant believes the requirements for the rejection are not met, that independent claims 1, 11, and 22 are in a condition for allowance and respectfully requests that the rejection be removed.

Claims 3-5, 7, 13, 16-18, 20, 22 and 24-25 are also rejected under 35 USC § 102(e) as being anticipated by Kidney et al, US Patent No. 4,984,279.

However, applicant would like to point out that although the summary in paragraph 5 of page 3 of the claim rejection rejects these claims, in the following paragraphs rejections are only provided for claims 4, 5, 7, 16, 17, 18, and 25.

In either case, claims 3-7, are dependent upon claim 1, claims 13-20 are dependent upon claim 11, and claims 24 and 25 are dependent upon claim 22. As these claims are all dependent claims upon independent claims 1, 11 or 22 and insofar as these claims are concerned, they all include the limitations of and depend from one of now presumably allowable claims 1, 11,

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or 22 and they are also believed to be in allowable condition for the reasons hereinbefore discussed with regard to independent claims 1, 11, or 22.

### **35 USC § 103**

Claims 2-3, 12-13, and 23-24 are rejected under 35 USC § 103(a) as being unpatentable over Kidney et al, US Patent No. 4,984,279 in view of Murphy et al., US Patent No. 6,282,362.

The disclosures of the cited art and the distinctions between them may be briefly summarized as follows:

Kidney et al. describes an image processing and map production system. In Kidney et al. a map is prepared from a satellite image defined by digital data by integrating the image data with a digitized representation of geographical features within the map area (please see abstract). The steps of the invention comprise processing data collected by remote-sensing to provide image data of a selected region, digitizing a representation of geographical features within the selected region, and integrating the image data with the feature data to provide combined data (please see col. 3, lines 43-61). In particular Figure 1 and col. 6 line 29 through col. 7 line 17 show a desired region (area 1 bounded by the double line 2) and four available image areas (areas 3, 4, 5, and 6 indicated by solid line 3a, dotted lines 4a and 5a, and chain-dotted line 6a) which overlap, at least partially, with area 1, the desired region. In order to build an image for the desired area 1, data must be used from the portions of the four available image areas 3-6. The manner of building the image for the desired area 1 from the data for overlapping areas 3-6 is described with respect to Figures 1 and 2. If the data for the available image areas overlap then, the choice of which pixel to use is left to a skilled

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operator. Further steps are then described to combine the image area which map and other data which results in a *single* integrated image containing image, map, and text data.

Murphy et al. discloses a geographical position/image capturing system which stores object images and position coordinates as digital data and includes a playback unit to allow modified images and other data to be viewed by the user. The playback unit may be a conventional LCD display (col. 10, line 24) or a projection screen (col. 6, lines 35-36), among others.

Applicant's claimed invention, as described in dependent claims 2, 12, and 23 comprises a first display area with a first display resolution and a first boundary, a second display area with a second display resolution different from the first display resolution and a second boundary, and the first and second display areas being so constructed and arranged such that when an image is displayed on at least a portion of each of the first and second display areas the resulting displayed image appears to be substantially continuous to a viewer situated to view the image and the displayed resolution of the portion of the image displayed on the first display is different than the displayed resolution of the portion of the image displayed on the second display wherein one of the display areas is an LCD.

The Office Action cites Kidney et al for all the limitations of independent claims 1, 11, and 22 and Murphy et al. for the specific dependencies listed in claims 2-3, 12-13, and 23-24, i.e. LCD or projection area as a display area. As discussed above, Kidney et al. does not teach or suggest at least two display areas having differing resolutions wherein when an image is displayed across the display areas it appears substantially continuous to a viewer with the portions of the image on each of the display areas being displayed in



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different resolutions either explicitly or impliedly as claimed in claims 1, 11, and 22, either explicitly or impliedly nor are any of the features of the claimed invention inherently present. Furthermore, while Murphy et al. does recite a projection display and an LCD display in the patent, this is in the context of a single display on a device. There is no discussion of two display areas with differing resolutions and different boundaries wherein when one or more images are displayed across the different display areas the resulting displayed image appears to be substantially continuous to a viewer and the portions of the images displayed in the different display areas are displayed at different resolutions in either Kidney et al. or Murphy et al.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

It is well settled that the prior art must enable one skilled in the art to make and use the apparatus or method and that obviousness also requires evidence that the prior art as a whole would have enabled someone of ordinary skill to practice the claimed invention. Neither Kidney et al. nor Murphy et al. teach or suggest two display areas with different resolutions and different boundaries wherein one or more images are displayed across the display areas appear to be substantially continuous to a viewer but the portions of the displayed image displayed on the different display area are

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displayed in different resolutions. Therefore, the references do not teach or suggest all of the claim limitations, there is no suggestion or motivation to modify the references to obtain applicant's claimed invention and there is no reasonable expectation of success. Applicant therefore believes that the claims 2-3, 12-13, and 23-24 are in a condition for allowance and respectfully requests that the rejection be removed.

Claims 6, 8-10, 14-15, 18, and 20-21, inclusive are rejected under 35 USC § 103(a) as being unpatentable over Kidney et al, US Patent No. 4,984,279. However, these claims all include the limitations of and depend from now presumably allowable independent claims 1, 11 and 22 are also believed to be in allowable condition for the reasons hereinbefore discussed with regard to claims 1, 11, and 22.

#### **Reconsideration/Admittance Requested**

In view of the foregoing remarks and amendments, reconsideration of this application and allowance thereof are earnestly solicited.

#### **Letter Requesting an Interview under M.P.E.P. 713.01**

The Examiner is hereby formally requested to contact the undersigned attorney before the issuance of the next Office Action to arrange a telephonic interview with the Applicant's attorney and the Examiner's Supervisory Patent Examiner so as to expedite the prosecution of the present application should the Examiner maintain the rejection(s) presented in the Office Action dated June 23, 2005.

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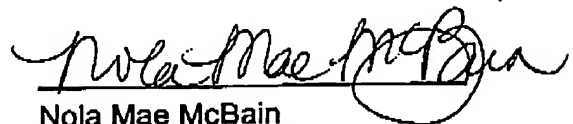
This formal request is being submitted under Chapter 713.01 of the Manual of Patent Examining Procedures which indicates that an interview can be arranged for in advance by letter, telegram, or telephone call. Applicant's attorney requested an interview in the response to the previous Office Action, but has no record of such an interview being granted. Applicant is desirous of fully understanding the Examiner's position and believes that such an interview would greatly enhance that understanding and provide the best opportunity to resolve any outstanding issues.

**Fee Authorization and Extension of Time Statement**

A three month extension of time is believed to be required for this amendment; however, the undersigned Xerox Corporation attorney (or agent) hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Nola Mae McBain, at Telephone Number 650-812-4264, Palo Alto, California.

Respectfully submitted,



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